



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021–2022

MINUTES OF PROCEEDINGS

No 45

THURSDAY, 7 APRIL 2022

- 1 The Assembly met at 10 am, pursuant to adjournment. A quorum of Members not being present, the Acting Speaker (Mr Parton) ordered the bells to be rung. A quorum having been formed, the Acting Speaker took the Chair and made the following acknowledgement of country in the Ngunnawal language:

Dhawura nguna, dhawura Ngunnawal.

Yanggu ngalawiri dhunimanyin Ngunnawalwari dhawurawari.

Nginggada Dindi wanggiralidjinyin.

This is Ngunnawal country.

Today we are all meeting on Ngunnawal country.

We always pay respect to Elders, female and male.

The Acting Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 LEAVE OF ABSENCE TO MEMBER

Mr Braddock moved—That leave of absence be granted to Mr Davis for today for health reasons.

Question—put and passed.

3 LEAVE OF ABSENCE TO MEMBERS

Mr Gentleman (Manager of Government Business) moved—That leave of absence be granted to Mr Barr and Mr Pettersson for today due to illness.

Question—put and passed.

4 A.C.T. CHILDREN AND YOUNG PEOPLE’S COMMITMENT 2015-2025—PROGRESS UPDATE ON THE IMPLEMENTATION—MINISTERIAL STATEMENT—PAPER NOTED

Ms Stephen-Smith (Minister for Families and Community Services) made a ministerial statement concerning an update to the Assembly on the progress of the implementation of the ACT Children and Young People’s Commitment 2015-2025, and presented the following paper:

ACT Children and Young People’s Commitment 2015-2025—Progress update on the implementation—Ministerial statement, 7 April 2022.

Ms Stephen-Smith moved—That the Assembly take note of the paper.

Question—put and passed.

5 DISCRIMINATION LAW REFORM LISTENING REPORT—MINISTERIAL STATEMENT AND PAPER—PAPERS NOTED

Ms Cheyne (Minister for Human Rights) made a ministerial statement concerning the Discrimination Law Reform Listening Report and presented the following papers:

Discrimination Law Reform Listening Report—

Ministerial statement, 7 April 2022.

YourSay Report, dated April 2022.

Ms Cheyne moved—That the Assembly take note of the papers.

Question—put and passed.

6 EDUCATION AMENDMENT BILL 2022

Ms Berry (Minister for Education and Youth Affairs), pursuant to notice, as amended, by leave, presented a Bill for an Act to amend the *Education Act 2004* and the *Education Regulation 2005*, and for other purposes.

Paper: Ms Berry presented the following paper:

Explanatory statement to the Bill, incorporating a compatibility statement, pursuant to section 37 of the *Human Rights Act 2004*.

Title read by Clerk.

Ms Berry moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Hanson) and the resumption of the debate made an order of the day for the next sitting.

7 FAIR TRADING AND OTHER JUSTICE LEGISLATION AMENDMENT BILL 2022

Mr Rattenbury (Minister for Consumer Affairs), pursuant to notice, presented a Bill for an Act to amend fair trading legislation, and for other purposes.

Paper: Mr Rattenbury presented the following paper:

Explanatory statement to the Bill, incorporating a compatibility statement, pursuant to section 37 of the *Human Rights Act 2004*.

Title read by Clerk.

Mr Rattenbury moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Parton) and the resumption of the debate made an order of the day for the next sitting.

8 ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY—STANDING COMMITTEE—FOSSIL EMBLEM FOR THE A.C.T.—STATEMENT BY CHAIR

Dr Paterson (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Environment, Climate Change and Biodiversity had resolved not to conduct an inquiry into the fossil emblem for the ACT. Noting that a public vote had been conducted, with the winning fossil being *Batocara mitchelli*, the Committee recommends that the Assembly adopt this as the fossil emblem for the ACT.

9 EXECUTIVE BUSINESS—PRECEDENCE

Ordered—That Executive business be called on forthwith.

10 WORLD HEALTH DAY

Ms Stephen-Smith (Minister for Health), pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) each year the World Health Organization celebrates World Health Day to promote global awareness of the importance of health and focus attention on a specific theme that impacts people all over the world; and
 - (b) that World Health Day in 2022 is occurring on 7 April and the 2022 theme is “Our planet, our health”;
- (2) recognises the impact of climate change on the health and wellbeing of people and on the health of the planet;
- (3) notes the ACT Government:
 - (a) has joined the Global Green and Healthy Hospitals network; and
 - (b) is investigating a formal commitment to the World Health Organization’s COP26 Health Programme goals;
- (4) acknowledges the impact of the COVID-19 pandemic across the world and the ACT; and
- (5) conveys its thanks to all health workers who have provided exceptional care throughout this pandemic and continue to protect the ACT community.

Debate ensued.

Question—put and passed.

11 MINISTERIAL ARRANGEMENTS

Ms Berry (Deputy Chief Minister) informed the Assembly that, due to the absence of Mr Barr (Chief Minister), questions without notice normally directed to Mr Barr could be directed to Ms Berry.

12 QUESTIONS

Questions without notice were asked.

13 LEAVE OF ABSENCE TO MEMBER

Ms Castley moved—That leave of absence be granted to Ms Lawder for this sitting day due to illness.

Question—put and passed.

14 PRESENTATION OF PAPERS

The Acting Speaker presented the following papers:

Committee Reports—Schedule of Government Responses—Tenth Assembly, as at 4 April 2022.

Inspector of Correctional Services Act, pursuant to subsection 30(2)—Report of a Review of a Critical Incident by the ACT Inspector of Correctional Services—A serious fire at the Alexander Maconochie Centre on 12 May 2021 (CIR 02/22), dated April 2022.

15 PRESENTATION OF PAPERS

Mr Gentleman (Manager of Government Business) presented the following papers:

Auditor-General Act, pursuant to subsection 21(4)—Auditor-General's Report No 13/2021—Campbell Primary School Modernisation Project Procurement—Government response, dated April 2022.

Freedom of Information Act, pursuant to section 39—Copy of notice provided to the Ombudsman—Freedom of Information request—Decision not made in time—Environment, Planning and Sustainable Development Directorate (FOI 21/119698), dated 1 April 2022.

Planning and Development Act, pursuant to subsection 79(1)—Approvals—Variations to the Territory Plan, including associated documents—

No 364—Gungahlin Town Centre—Amendments to the Gungahlin Precinct Map and Code, dated 6 April 2022.

No 365—Housing Choices—Boarding Houses and Co-Housing, dated 6 April 2022.

Planning, Transport and City Services—Standing Committee—Report 8—*Inquiry into Giralang Shops—Interim Report*—Government response, dated April 2022.

Public Accounts—Standing Committee—Report 3—*Inquiry into the Auditor-General's Report No. 1 of 2020: Shared Services Delivery of HR and Finance Services*—Government response, dated April 2022.

Sport and active recreation—Report—Resolution of the Assembly of 22 April 2021—Update, dated April 2022.

16 AUDITOR-GENERAL ACT—AUDITOR-GENERAL’S REPORT NO 13/2021—CAMPBELL PRIMARY SCHOOL MODERNISATION PROJECT PROCUREMENT—GOVERNMENT RESPONSE—MOTION TO TAKE NOTE OF PAPER

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly take note of the following paper:

Auditor-General Act, pursuant to subsection 21(4)—Auditor-General’s Report No 13/2021—Campbell Primary School Modernisation Project Procurement—Government response.

Debate ensued.

Debate adjourned (Ms Castley) and the resumption of the debate made an order of the day for the next sitting.

17 SPORT AND ACTIVE RECREATION—REPORT—RESOLUTION OF THE ASSEMBLY OF 22 APRIL 2021—UPDATE—MOTION TO TAKE NOTE OF PAPER

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly take note of the following paper:

Sport and active recreation—Report—Resolution of the Assembly of 22 April 2021—Update.

Debate adjourned (Ms Castley) and the resumption of the debate made an order of the day for the next sitting.

18 FREEDOM OF INFORMATION ACT—COPY OF NOTICE PROVIDED TO THE OMBUDSMAN—FREEDOM OF INFORMATION REQUEST—DECISION NOT MADE IN TIME—ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT DIRECTORATE—MOTION TO TAKE NOTE OF PAPER

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly take note of the following paper:

Freedom of Information Act, pursuant to section 39—Copy of notice provided to the Ombudsman—Freedom of Information request—Decision not made in time—Environment, Planning and Sustainable Development Directorate (FOI 21/119698).

Debate adjourned (Ms Castley) and the resumption of the debate made an order of the day for the next sitting.

19 PLANNING, TRANSPORT AND CITY SERVICES—STANDING COMMITTEE—REPORT 8—INQUIRY INTO GIRALANG SHOPS—INTERIM REPORT—GOVERNMENT RESPONSE—MOTION TO TAKE NOTE OF PAPER

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly take note of the following paper:

Planning, Transport and City Services—Standing Committee—Report 8—*Inquiry into Giralang Shops—Interim Report*—Government response.

Debate adjourned (Ms Castley) and the resumption of the debate made an order of the day for the next sitting.

20 PLANNING AND DEVELOPMENT ACT—APPROVAL—VARIATION TO THE TERRITORY PLAN 365—HOUSING CHOICES—BOARDING HOUSES AND CO-HOUSING—PAPER NOTED

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly take note of the following paper:

Planning and Development Act, pursuant to subsection 79(1)—Approval—Variation to the Territory Plan 365—Housing Choices—Boarding Houses and Co-Housing.

Question—put and passed.

21 PUBLIC ACCOUNTS—STANDING COMMITTEE—REPORT 3—INQUIRY INTO THE AUDITOR-GENERAL'S REPORT NO. 1 OF 2020: SHARED SERVICES DELIVERY OF HR AND FINANCE SERVICES—GOVERNMENT RESPONSE—PAPER NOTED

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly take note of the following paper:

Public Accounts—Standing Committee—Report 3—*Inquiry into the Auditor-General's Report No. 1 of 2020: Shared Services Delivery of HR and Finance Services*—Government response.

Question—put and passed.

22 PLANNING AND DEVELOPMENT ACT—APPROVAL—VARIATION TO THE TERRITORY PLAN 364—GUNGALIN TOWN CENTRE—AMENDMENTS TO THE GUNGALIN PRECINCT MAP AND CODE—MOTION TO TAKE NOTE OF PAPER

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly take note of the following paper:

Planning and Development Act, pursuant to subsection 79(1)—Approval—Variation to the Territory Plan 364—Gungahlin Town Centre—Amendments to the Gungahlin Precinct Map and Code.

Debate adjourned (Ms Castley) and the resumption of the debate made an order of the day for the next sitting.

23 HOUSING CHOICES

Ms Lee (Leader of the Opposition), pursuant to notice, moved—That this Assembly:

(1) notes that the:

- (a) ACT is in a housing crisis;
- (b) ACT Government's Indicative Land Release Program 2021-22 to 2025-26 dictates that:
 - (i) over the next five years, approximately 70 percent of the land for new housing delivered by the ACT Government will be for high density dwellings;
 - (ii) 25 percent will be land for detached housing; and
 - (iii) the remaining five percent will be for mid-density dwellings;

- (2) further notes that:
 - (a) this approach is restricting Canberrans' housing choices;
 - (b) it is not delivering a mix of housing typologies to meet demand; and
 - (c) lack of choice is pricing Canberrans out of the detached and mid-density housing markets; and
- (3) calls on the ACT Government to:
 - (a) reframe the planned land release for the next five years to provide more options for mid-density and detached housing; and
 - (b) ensure the new planning regime will deliver the housing choices Canberrans want and need.

Mr Gentleman (Minister for Planning and Land Management) moved the following amendment: Omit all text after "That this Assembly", substitute:

- "(1) notes that:
- (a) house prices are rising nationally and internationally and the ACT is affected by these increases, alongside other jurisdictions in Australia and across the world;
 - (b) the ACT's existing dwelling stock comprised, at 30 June 2021:
 - (i) approximately 115 000 single residential dwellings; and
 - (ii) approximately 63 000 'other' dwellings, including apartments, townhouses and semi-detached dwellings; and
 - (c) the ACT Government's Indicative Land Release Program 2021-22 to 2025-26:
 - (i) continues to supply dwellings ahead of population growth;
 - (ii) provides a mix of dwelling types and locations; and
 - (iii) is supported by private sector redevelopment in established suburbs;
- (2) further notes that:
- (a) the Housing Choices collaboration hub showed a preference for infill development;
 - (b) the Grattan Institute has identified increasing density in inner and middle suburbs as the most effective way to increase housing affordability;
 - (c) density provides for affordable lifestyles with reduced transport costs and access to established services and facilities;
 - (d) the Demonstration Housing project is testing ideas for medium-density development; and
 - (e) unchecked urban sprawl increases emissions, reduces liveability and sustainability, requires expensive new infrastructure, and will destroy the bush landscape that surrounds Canberra, risking we lose protected flora and fauna forever; and

- (3) calls on the ACT Government to:
- (a) clearly identify, through District Strategies, likely locations for future density, particularly medium-density development; and
 - (b) ensure the new planning system will deliver the housing choices to accommodate Canberrans into the future.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 12		NOES, 5
Ms Berry	Ms Orr	Mr Cain
Mr Braddock	Dr Paterson	Mrs Kikkert
Ms Cheyne	Mr Rattenbury	Ms Lee
Ms Clay	Mr Steel	Mr Milligan
Ms Davidson	Ms Stephen-Smith	Mr Parton
Mr Gentleman	Ms Vassarotti	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
 - (a) house prices are rising nationally and internationally and the ACT is affected by these increases, alongside other jurisdictions in Australia and across the world;
 - (b) the ACT’s existing dwelling stock comprised, at 30 June 2021:
 - (i) approximately 115 000 single residential dwellings; and
 - (ii) approximately 63 000 ‘other’ dwellings, including apartments, townhouses and semi-detached dwellings; and
 - (c) the ACT Government’s Indicative Land Release Program 2021-22 to 2025-26:
 - (i) continues to supply dwellings ahead of population growth;
 - (ii) provides a mix of dwelling types and locations; and
 - (iii) is supported by private sector redevelopment in established suburbs;
- (2) further notes that:
 - (a) the Housing Choices collaboration hub showed a preference for infill development;
 - (b) the Grattan Institute has identified increasing density in inner and middle suburbs as the most effective way to increase housing affordability;
 - (c) density provides for affordable lifestyles with reduced transport costs and access to established services and facilities;

- (d) the Demonstration Housing project is testing ideas for medium-density development; and
 - (e) unchecked urban sprawl increases emissions, reduces liveability and sustainability, requires expensive new infrastructure, and will destroy the bush landscape that surrounds Canberra, risking we lose protected flora and fauna forever; and
- (3) calls on the ACT Government to:
- (a) clearly identify, through District Strategies, likely locations for future density, particularly medium-density development; and
 - (b) ensure the new planning system will deliver the housing choices to accommodate Canberrans into the future.”—

be agreed to—put and passed.

24 PAPER

Ms Cheyne (Minister for the Arts), having added to an answer to a supplementary question without notice today from Ms Castley, presented the following paper:

Canberra: Australia’s Arts Capital—YourSay website report.

25 CO-OPERATIVES AND ALTERNATIVE BUSINESS MODELS

Notice No 2, Private Members’ business, having been called on—

Ms Clay, by leave, in the absence of the proposer, Mr Davis, pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) Canberra businesses have an important role in reducing unemployment, underemployment, and economic inequality, including through alternative business models such as micro and small business, member and worker-owned co-operatives, social enterprises, and not-for-profit corporations;
 - (b) co-operatives are values driven, community-based, democratic organisations that are owned and controlled by their workers and people who use their services;
 - (c) co-operatives can be more resilient in economic downturn, creating and supporting jobs and wealth that stays in the community;
 - (d) co-operatives can provide secure jobs and offer a viable and fairer alternative business model to gig-economy “job shares” which are driving greater rates of underemployment and casualisation nationally and internationally;
 - (e) in Australia, over 2000 co-operatives are active in a diverse range of sectors, including agriculture, arts, childcare, health care, clubs, community services, education, energy, finance, hardware, housing, radio broadcasting, fishing, manufacturing, produce marketing, recycling, respite care, retail, superannuation funds, communications, transport, wholesale, and wine sales;

- (f) the Business Council of Cooperatives and Mutuals estimates that as of 2020, eight in every 10 Australians are a member of a co-operative or mutually owned organisation; and
 - (g) the Canberra community has benefited from co-operatives in the ACT, such as the Canberra Food Co-op, Harmony Cleaning Co-operative, Canberra Seed Savers Co-op, and, while it was operational, the National Health Co-op;
- (2) further notes that:
- (a) co-operatives looking to set up often have trouble securing loans from banks and otherwise raising capital because they have a distributed ownership structure;
 - (b) a seed investment and interest-free loan funds would help co-operatives in their initial start-up phase, providing capital to get them off the ground. Such a fund would also help businesses who wish to transition into a co-operative structure to do so; and
 - (c) no new co-operative organisations were registered in the ACT in the 2020-2021 financial year; and
- (3) calls on the ACT Government to:
- (a) provide accessible information on the establishment of co-operatives and other alternative business models that prioritise workers' rights and dividends to their workers and communities to deliver social goods;
 - (b) explore the utility of establishing a unit within the ACT Government to assist prospective co-operatives to navigate existing processes required to establish co-operatives and other alternative business models;
 - (c) investigate the potential benefits and appropriate mechanisms for providing financial assistance for the formation of co-operatives and alternative business models or the transformation of businesses into co-operatives and alternative business models;
 - (d) seek to understand what Bologna in Italy is doing to make it a world leader in co-operative industry and, after considering this research, consider establishing an ongoing dialogue or formal partnership with that jurisdiction; and
 - (e) report back to the Assembly on these inquiries by 30 June 2023.

Debate ensued.

Question—put and passed.

26 QUESTION WITHOUT NOTICE—SPEAKER'S RULING

The Speaker ruled that a question without notice asked by Mr Milligan of the Minister for Education and Youth Affairs contained an imputation or inference in relation to the Minister and asked the Member to withdraw any imputation. Mr Milligan withdrew the imputation.

27 PRESENTATION OF PAPER

Mr Gentleman (Manager of Government Business) presented the following paper:
Review of Procurement ACT—October 2021, conducted by Renée Leon.

28 ADJOURNMENT

Mr Gentleman (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 5.50 pm, adjourned until Tuesday, 3 May 2022 at 10 am.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Mr Barr*, Ms Burch*, Mr Davis*, Mrs Jones*, Ms Lawder* and Mr Pettersson*.

*on leave

Tom Duncan
Clerk of the Legislative Assembly